

From: Juan Rodriguez
To: Microsoft ATR
Date: 1/25/02 9:13pm
Subject: US vs. Microsoft

Dear Sirs,

I am a network administrator for a small CPA firm in Southern Indiana, and I am also a CPA. As someone who works with computers every day, I will be affected by the outcome of US vs. Microsoft. However, I believe the proposed settlement is not appropriate given the facts of the case or the fact that Microsoft, Inc. has already been found guilty of illegally maintaining its monopoly.

The proposed settlement does not address several issues that I believe are extremely important.

The settlement does not keep Microsoft from preventing computer manufacturers and/or resellers from bundling competing products with the computers and Microsoft operating systems.

The proposed settlement allows Microsoft to keep its illegally obtained profits. Microsoft's monopoly profits are the direct result of its anti-competitive practices. Consumers have overpaid for Microsoft products, specifically the Windows 95 operating system, but this issue is not addressed. Consumers are being harmed because they have overpaid for Microsoft products but that money is not being repaid.

Such repayment might have a positive side-effect on the economy because consumers will probably spend at least some of that money if it is repaid. Also, criminals should not be allowed to keep their ill-gotten gains. Criminals should also not be allowed to use their ill-gotten gains to pay for their legal defense.

The settlement makes no attempt to punish Microsoft for their wrongdoings. While the settlement establishes some mechanisms to prevent future wrongdoing, it does not address punishment for past wrongdoings. This is not consistent with the American Justice System.

A more fair settlement should address the following:

1. In order to prevent an extension of Microsoft's monopoly, its products, particularly its operating systems, should be placed as extra-cost options in the purchase of new computers, so that consumers who do not wish to purchase them are not forced to do so. This would help consumers see what they are actually paying for Microsoft products and might cause consumers to consider alternatives. A more informed public should be a desired outcome of the trial for the US Government.
2. The specifications of Microsoft's present and future document file formats must be made public. This will allow documents created with Microsoft applications to be read by applications from other software makers or developers.
3. Any present and future Microsoft networking and authentication protocols must be published and approved by an independent body. This would help prevent Microsoft from seizing control of the Internet and data centers.
4. The money that consumers have overpaid for Microsoft products should be repaid, in order to rectify some of the harm consumers have endured.

Please reject the proposed settlement and work towards stiffer penalties for Microsoft.

Regards,

Juan R. Rodriguez, CPA
New Albany, Indiana

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